

## REMARKS

The above amendment is made in response to the Final Office Action mailed July 12, 2006. Claims 1-4, 6-12, 17-22 are pending in the application. Claims 1 and 12 have been amended. Claims 1-4, 12, 19, and 21 stand rejected. The Examiner's reconsideration of the claim rejections is respectfully requested in view of the above amendment and the following remarks.

### Claim Rejections - § 102(b)

Claims 1-4, 12, 19, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Berger (U.S. Patent 4,193,035) (hereinafter "Berger"), as set forth on pages 2-4 of the Final Office Action.


On page 3 of the Final Office Action, the Examiner stated that Berger discloses, "a first mixing portion, element numbers 1a and 1b, which receive a non-phase shifted first input signal and a non-phase shifted second input signal,  $u_0$ , and multiplies the input signals by a local IF signal from element number 4."

Claims 1 and 12 have been amended for purposes of clarification. Amended claim 1 now recites, *inter alia*, "multiplies each of the first and second input signals by a non phase-shifted local IF (intermediate frequency) signal." Amended claim 12 now recites, *inter alia*, "multiplying a first input signal and a second input signal by a non phase-shifted local IF (intermediate frequency) signal." Assuming, *arguendo*, that the signal emanating from Berger's element 4 is the local IF signal, Berger teaches (in FIG. 1, col. 3, lines 46-54) that said signal is phase-shifted and output to element 1b for multiplication with input signal

u<sub>o</sub>. Clearly, this is different from amended claims 1 and 12, since each recites multiplication of input signals by a non phase-shifted local IF signal.

Accordingly, claims 1 and 12, are believed to be patentably distinguishable over Berger. Claims 2-4, and 19 are believed to be patentable at least by virtue of their dependence from claim 1. Claim 21 is believed to be patentable at least by virtue of its dependence from claim 12.

Withdrawal of the claim rejections under 35 U.S.C. § 102 is respectfully requested.

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